25

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A. P.R. No.1131/2005 MA 243/06

CORAM: Hon'ble Shri S.R.Nayak, Chief Justice &
Hon'ble Shri D.R.Deshmukh, J.

APPELLANT : Girdhar Ram Sahu, S/o Bhanu Ram Sahu, aged about 35 years, R/o village Bhori. P.O. Khapri, Tahisl and P.S. Balod, Distt. Durg (CG)

Versus

Respondents :
1. Faghni Bai, W/o Late Punu Ram Sahu,aged about 35 years.
2. Maheswhari, D/o Late Punu Ram Sahu, aged about 17 years.
3. Mahesh, S/o Late Punu Ram Sahu, aged about 15 years.
4. Tulsi Bai, D/o Late Punu Ram Sahu, aged about 13 years.
5. Pushpa, D/o Late Punu Ram Sahu, aged about 11 years.
6. Gomti Bai, W/o Late Balmukund, aged about 70 years.
   From the side of appellants No. 2-5 guardian Mother-Smt Faghni Bai, All resident of Village Bori, P.O. Khapri, Distt. Durg (CG)
7. Komal Ram Sahu, S/o Sudharshan Ram Sahu, aged about 23 years, R/o Village Parsahi, P.O. Khapri, Rahsil Balod, distt. Durg. (CG)

Shri N.S.Dhurandar for the appellant.

ORAL ORDER
(Passed on 15.2.2006)

The following oral order of the Court was passed by S.R.NAYAK, C.J.

1. The award passed by the Commissioner for Workmen Compensation is assailed only on the ground that there was no relationship of employer and employee between the appellant herein and the deceased Punu Ram.

2. We have perused the impugned award. Having perused particularly what is observed and concluded by the Commissioner in paragraphs 5 & 8, it cannot be said that factual finding recorded by the Commissioner is perverse for want of legal evidence. We are satisfied that the finding recorded by the Commissioner for Workmen Compensation is based on substantive legal evidence. Be that as it may, this case does not involve any substantial question of law. The point urged by the learned counsel relates to appreciation of evidence and accepting the rival pleas of the parties on merit. Looking from any angle, there is no merit in this appeal. It is accordingly dismissed. No costs.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Anjani